

BILL ANALYSIS

H.B. 677
By: Geren
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law exempts an owner of a dam with a hazard classification of low or significant and located on rural private property from meeting costly regulatory requirements. Interested parties note that these dams are not exempted from operation and maintenance requirements established by rules of the Texas Commission on Environmental Quality. Interested parties contend, however, that the existing exemption should be extended to additional rural counties. H.B. 677 seeks to establish this exemption for applicable dams located in a county with a population of less than 350,000.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 677 amends the Water Code, in a provision requiring the Texas Commission on Environmental Quality (TCEQ) to exempt an owner of a dam located on private property from meeting requirements related to dam safety if the dam at maximum capacity impounds less than 500 acre-feet, has a hazard classification of low or significant, is not located inside the corporate limits of a municipality, and is located in a county with a population of less than 215,000, to change the county population limit to less than 350,000. The bill repeals a provision that sets an expiration date of August 31, 2015, for the exemption requirement and for a requirement that an owner of a dam comply with operation and maintenance requirements established by TCEQ rule.

H.B. 677 repeals Section 12.052(e-3), Water Code.

EFFECTIVE DATE

September 1, 2013.